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5 Attorney for Plaintiff

6 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
7 PHOENIX DIVISION

8 Todd Heichel, Rudy Castro Justin
9 Garmendia, Joshua Holgate and Randi
Potts, Each Individually and on Behalf
10 of All Others Similarly Situated,

11 Plaintiffs,

12 v.

13 Tri City Transport, LLC, SWWOOP,
LLC, and Michael Butler,

14 Defendants.

NO. 2:22-cv-1513-PHX-SMM

**AFFIDAVIT IN SUPPORT OF
PLAINTIFF'S FOURTH MOTION
FOR EXTENSION OF TIME FOR
SERVICE AND FOR
ALTERNATIVE SERVICE OF
DEFENDANT**

15 I, Daniel Ford, do hereby swear and affirm as follows:

16 1. I am the attorney of record for Plaintiffs in the above titled action.

17 2. On December 5, 2022, Plaintiffs filed their first motion for extension of
18 time for service, which was granted and the service deadline was delayed until March
19 13, 2023.
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1 3. On March 9, 2023, Plaintiffs filed their second motion for extension of
2 time for service, which was granted and the deadline for service was delayed until June
3 12, 2023.

4 4. On June 12, 2023, Plaintiffs filed their third motion for extension of time
5 for service, which was granted and the deadline for service was delay until September
6 10, 2023.

7 5. Plaintiffs served Defendants Tri City Transport, LLC, and SWWOOP,
8 LLC, in accordance with A.R.S. § 29-3119(B), both of which are in default.

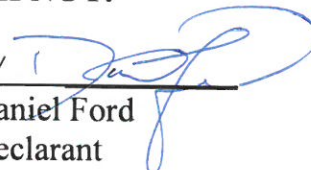
9 6. The Process server has made eighteen attempts at serving Defendant
10 Michael Butler at 11 different addresses.

11 7. All of the attempts at service so far have been unsuccessful.

12 8. Plaintiffs have exhausted all addresses that have been provided or
13 discovered.

14 9. It is my belief that service by publication is the last remaining and best
15 available means to put the individual Defendant Michael Butler on notice of the action
16 against him.

17
18 **FURTHER AFFIANT SAYETH NOT.**

19
20 /s/ 
21 Daniel Ford
22 Declarant

